

(202) 628-0844

REQUEST FOR FILING A PATENT APPLICATION UNDER 37 C.F.R. §1.53(b)

Attorney Docket: 622/40901C2



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Box PATENT APPLICATION**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

This is a request for filing a X continuation or \_\_\_\_\_  
divisional application under 37 C.F.R. 1.53(b), of pending prior  
application:

Serial No. 08/962,776  
Filed on November 3, 1997  
Of Roman SCHERTLER

Entitled: A VACUUM PROCESS APPARATUS  
Examiner: I. ROSENBAUM  
Group: 3726  
Batch No: \_\_\_\_\_

X 1. Accompanying this order is a true copy of the prior reissue application as originally filed.  
Total pages: 14

X 2. Formal drawings are being filed herewith consisting of 5 sheets, depicting Figures 1-9.

X 3. Declaration and Power of Attorney:  
a.        Newly executed (original or copy)  
b. X Copy from prior application  
i.        Deletion of Inventors - signed statement attached deleting inventor(s) named in the prior application

X 4. Incorporation by Reference:  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 3b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

X 5. Cancel original claims 1-34.

#2a  
Rosenbaum  
n/ov/98  
4-18-01

6. Small entity status:

- a.        A small entity statement is enclosed
- b.        A statement of small entity status (copy attached) was filed on \_\_\_\_\_ in the prior application and status as a small entity is still proper and desired.
- c.        Is no longer claimed

X 7. The filing fee is calculated below:

CLAIMS AS FILED, INCLUDING ANY CLAIMS  
CANCELLED OR ADDED BY PRELIMINARY AMENDMENT

Basic Fee	\$345	\$690
Total Claims <u>38</u> - 20 = <u>18</u> x 9 = \$_____ 18 = \$ <u>324.00</u>		
Ind. Claims <u>7</u> - 3 = <u>4</u> x 39 = \$_____ 78 = \$ <u>312.00</u>		
<u>      </u> Multiple Dependent Claims	+ 130 = \$_____ 260 = \$_____	
	Total	\$_____ \$1,326.00

       8. Please charge my Deposit Account No. 05-1323 (Docket #\_\_\_\_\_) in the amount of \$\_\_\_\_\_.

X 9. A check in the amount of \$1,326.00 to cover the filing fee is enclosed.

X 10. The Commissioner is authorized to charge any fee which may be required under 37 CFR 1.16 or 37 CFR 1.17 or credit any overpayment to Deposit Account No. 05-1323 (Docket #622/40901C2).

X 11. Amend the specification by inserting before the first line the sentence: --This application is a continuation of application Serial No. 08/962,776, filed November 3, 1997, which is a continuation of Reissue Application Serial No. 08/530,778, filed September 19, 1995, which is a reissue of Application Serial No. 888,111, filed May 26, 1992 (patented September 21, 1993 as U.S. Patent No. 5,245,736).--

X 12. Priority of Appln. No(s). 4117969, filed in Germany on 31 May 1991, is hereby claimed under 35 U.S.C. 119.

       13. A certified copy of each said priority document was filed in application Serial No. \_\_\_\_\_ on \_\_\_\_\_.

X 14. The prior application is assigned of record to  
Balzers Aktiengesellschaft.

X 15. The power of attorney in the prior application is to:  
  
Herbert I. Cantor, Reg. No. 24,392; James F. McKeown, Reg. No. 25,406; Donald D. Evenson, Reg. No. 26,160; Joseph D. Evans, Reg. No. 26,269; Gary R. Edwards, Reg. No. 31,824; Jeffrey D. Sanok, Reg. No. 32,169; and Corinne M. Pouliquet, Reg. No. 35,753.

X a. The power appears in the original application papers in the prior application.

       b. Since the power does not appear in the original application papers, a copy of the power in the prior application is enclosed.

       c. Attached is a duplicate of a Supplemental Declaration which was filed in the prior application to overcome informalities.

X d. Address all future correspondence to:  
  
EVENSON, McKEOWN, EDWARDS  
& LENAHAN, P.L.L.C.  
1200 G Street, N.W.  
Suite 700  
Washington, DC 20005

X 16. Forms PTO-892 and PTO-1449 listing prior art made of record in the prior application are attached. A copy of each of the listed references should be available in the prior application file.

X 17. A Preliminary Amendment is being filed herewith.

X 18. Return Receipt Postcard.

19. Other: \_\_\_\_\_

Respectfully submitted,

July 19, 2000

  
James F. McKeown  
Registration No. 25,406

EVENSON, McKEOWN, EDWARDS  
& LENAHAN, P.L.L.C.  
1200 G Street, N.W., Suite 700  
Washington, D.C. 20005  
Tel: (202) 628-8800  
Fax: (202) 628-8844  
JFM/jmm